

FILED  
08 DEC 23 PM 3:00  
CLARK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
CRISTOBAL TAMAYO, *et al.*,  
Defendants.

CR06-0648 CRB ✓  
Case No. CR 06 - 0647 CRB

STIPULATION AND [PROPOSED]  
ORDER

The parties in the above-captioned cases, through their counsel of record, hereby make the stipulated request to allow Cristobal Tamayo (who is currently residing at Cornell Corrections as required by this Court's Order of Release) to travel to his mother's home in Santa Rosa California for Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

Pre-Trial Services has been consulted and has no objection.

The parties make this request upon the following conditions:

1. That Mr. Tamayo be released from Cornell Corrections at 9:00 am on Christmas Eve Day;

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2. That he be picked up by his mother Beatrice Tamayo and immediately driven to the Office of Pre-Trial Services to have an electronic monitor placed upon his person;
3. That his mother then drive him to attend the family gathering at 1533 Buckboard Place;
4. That he observe a 9:00 pm curfew.
5. That his mother return him to Cornell Corrections no later than 9:00 pm Christmas Day (the next day);
6. That he travel directly to and from 1533 Buckboard, not have any contact with any co-defendants in this case, and contact Pre-Trial Services should such contact occur.
7. That Mr. Tamayo be released from Cornell Corrections at 9:00 am on New Year's Eve Day;
8. That he be picked up by his mother Beatrice Tamayo and immediately driven to the Office of Pre-Trial Services to have an electronic monitor placed upon his person;
9. That his mother then drive him to attend the family gathering at 1533 Buckboard Place;
10. That he observe a 9:00 pm curfew.
11. That his mother return him to Cornell Corrections no later than 9:00 pm New Year's Day; and

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1 12. That he travel directly to and from 1533 Buckboard, not have any  
2 contact with any co-defendants in this case, and contact Pre-Trial  
3 Services should such contact occur.  
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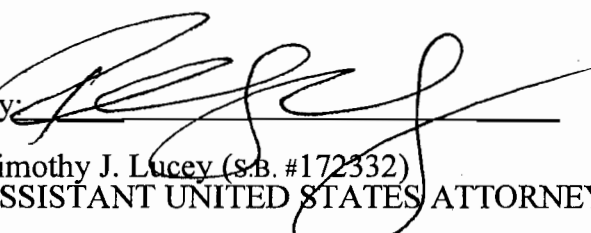
5 **IT IS SO STIPULATED.**  
6

7 Dated: December 22, 2008

By:   
MARTIN A. SABELLI, CA 164772

8  
9 Dated: December 22, 2008

JOSEPH P. RUSSONIELLO  
UNITED STATES ATTORNEY


10  
11 By:   
12 Timothy J. Lucey (S.B. #172332)  
13 ASSISTANT UNITED STATES ATTORNEY  
14

**ORDER**

15 GOOD CAUSE appearing,  
16

17 **IT IS SO ORDERED.**

18 Dated: December 23, 2008

19 By:   
20 MARIA ELENA JAMES  
21 U.S. MAGISTRATE JUDGE  
22 Northern District of California  
23  
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that he caused copies of

STIPULATION AND ORDER

in the case of **U.S. v. CRISTOBAL TAMAYO et al**; CR 06-0647 CRB; CR 06-0648 CRB to be served on the parties in this action, addressed as follows which are the last known addresses:

Law Ofc of Martin A Sabelli  
584 Castro St #851  
San Francisco, CA, 94114

\_\_\_\_ (By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.


\_\_\_\_ (By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

  X   (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

\_\_\_\_ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

December 23, 2008

  
\_\_\_\_\_  
WILSON WONG  
United States Attorney's Office